

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA



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Order Instituting Rulemaking Concerning
Energy Efficiency Rolling Portfolios,
Policies, Programs, Evaluation, and
Related Issues.

Rulemaking 13-11-005
(Filed November 14, 2013)

**THE OFFICE OF RATEPAYER ADVOCATES’
NOTICE OF EX PARTE COMMUNICATION**

Pursuant to Rule 8.4 of the California Public Utilities Commission’s (“Commission”) Rules of Practice and Procedure, the Office of Ratepayer Advocates (“ORA”) respectfully submits the following notice of ex parte communication in the above referenced docket. Rule 8.3 (d) provides that ex parte notices are not required in a ratesetting proceeding where hearings have been determined to be unnecessary, as was determined in the above referenced docket.¹ In the interest of full transparency, ORA submits the notice of oral ex parte communication, which occurred at the Commission’s offices in San Francisco.

The meeting was held on Tuesday, August 9, 2016 at 10:00 a.m. with Sean Simon, Advisor to Commissioner Liane Randolph. The meeting was initiated by ORA to discuss the Proposed Decision on 2016 Energy Efficiency Policy Guidance (“PD”). ORA representatives present were Program Manager Mike Campbell, Analyst Daniel Buch, and Attorney Zhen Zhang.

¹ Assigned Commissioner’s Ruling and Scoping Memorandum Regarding 2015 Portfolios (Phase I of Rulemaking 13-11-005), p. 3 (Jan. 22, 2014); Assigned Commissioner and Administrative Law Judge’s Ruling and Scoping Memorandum Regarding Implementation of Energy Efficiency “Rolling Portfolios” (Phase II of Rulemaking 13-11-005), p. 13 (Feb. 24, 2015); *see generally* Assigned Commissioner and Administrative Law Judge’s Ruling and Amended Scoping Memorandum Regarding Implementation of Energy Efficiency “Rolling Portfolios” (Phases IIB and IIIA of R.13-11-005) (Oct. 30, 2015).

ORA and Sean Simon discussed the following:

- ORA supports the PD's direction on statewide and third party programs in order to ensure greater statewide consistency and cost-effectiveness.
- The PD should be modified to require Investor Owned Utilities ("IOUs") to bid out their entire portfolios to third parties unless an IOU can demonstrate it can implement a program more cost-effectively than all other implementers.
- ORA supports the PD determination that energy efficiency goals should be set to net saving, to prevent free ridership.
- ORA supports the removal of codes and standards savings from IOU goals.
- The PD's baseline policy is reasonable, but should be modified to incorporate the Energy Division White Paper proposal on baselines for major alterations.
- The PD should be modified to increase accountability for Evaluation, Measurement, and Verification funding.

ORA's presentation was accompanied by a handout outlining ORA's positions.

A copy of the handout is attached.

Respectfully submitted,

/s/ ZHEN ZHANG

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